

FAUQUIER COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
THIRD FLOOR — COURT AND OFFICE BUILDING
40 CULPEPER STREET
WARRENTON, VIRGINIA 20186

PLANNING
(540) 347-8703

(540) 347-8660

FAX (540) 341-3444

ZONING ADMINISTRATION
(540) 347-8789

BUILDING
AND ZONING PERMITS

(540) 347-8646

(540) 347-8647

(540) 347-8674

FAX (540) 347-2043

MEMORANDUM

TO: Rick Carr

THROUGH: Elizabeth Cook *ECC*

FROM: Cameron Weimar *WCM*

RE: Waiver of the Private Street Length Limitation of 1000 Feet

DATE: June 18, 2002

Mr. Ronald Harding has requested a waiver of the right of way limitation of 1000 feet for Type III private streets (Section 3.2(A) 6 of the Subdivision Ordinance). The applicant requests this waiver for a 52.5-acre parcel (PIN 7920-78-9858) zoned RA. The property is accessed via Old Devils Turnpike, a gravel private street. The western boundary of the subject property is approximately 3,716 feet from the intersection of Old Devils Turnpike and Route 616, Bristersburg Road. (please refer to the attached aerial map).

According to Mr. Harding, no property will be adversely affected by the granting of this waiver. He has informed the planning office that no homeowner's association or private street maintenance agreement exists for the lots utilizing Old Devils Turnpike.


From the subject property, the existing private street follows a hilly course to Route 616. Along the subject property's frontage there is a prominent flooded section of Old Devils Turnpike that appears impassable by vehicular traffic (please refer to the site photographs). The applicant indicates that without approving the private street length waiver, an unreasonable restriction is placed upon the use of the 52.5 acre-parcel, specifically the ability to subdivide. The applicant intends to submit an administrative subdivision application, pending approval of the waiver request.

After consulting with the County Engineer's office, staff recommends that the right of way length limitation waiver be approved with a restriction on the amount of length granted beyond the westernmost property line. This restriction: *"No driveway access onto Old Devils Turnpike for any new subdivision lots shall be permitted beyond 300 feet of the westernmost property line for parcel 7920-78-9858,"* shall be included as a bolded note on any administrative subdivision plat or preliminary plat submitted to Fauquier County. The purpose of this restriction is to alleviate any unnecessary exposure to the hazards of flooding (Article 4-401 of the Zoning Ordinance).

The applicant must also abide by Section 4-7, Floodplains and Drainage Courses, of the Fauquier County Subdivision Ordinance. According to Section 4-7 of the Subdivision Ordinance, an easement is required along any drainage course on the property. This easement shall be included on any administrative subdivision plat or preliminary plat submitted to Fauquier County.

The applicant's original letter of justification and an updated letter of justification detailing pond construction plans are enclosed. A series of aerial photographs, a GIS map, and site photographs are provided to assist your review and determination as well.

Approval: ✓ Denial:


Frederick P.D. Carr, AICP
Director

6-19-02